The Minutes

February 7, 2005

CO45507 THE PEOPLE v. DIXON (Not for Publication)

The judgment is modified... As modified, the judgment is affirmed.

HULL, J.

We Concur: Raye, Acting P.J.

Morrison, J.

C046278 THE PEOPLE v. MORA (Not for Publication)

The judgment is modified... As modified, the judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Scotland, P.J.

Sims, J.

C045867 CARNES v. THE SUPERIOR COURT OF PLACER COUNTY

(Certified for Partial Publication)

The judgment is reversed. The trial court is directed to vacate its order granting the motion for summary judgment and enter a new order granting the motion for summary adjudication as to the causes of action for discrimination, failure to reasonably accommodate, and retaliation, but denying the motion for summary adjudication as to the cause of action for harassment for the reasons stated in this opinion. Plaintiff shall recover her costs on appeal. (Cal. Rules of Court, rule 27(a).)

ROBIE, J.

We Concur: Sims, Acting P.J.

Rave, J.

February 8, 2005

C040014 THE PEOPLE v. BREWER (Not for Publication)

The judgment is affirmed.

MORRISON, J.

We Concur: Scotland, P.J.

Sims, J.

C042532 THE PEOPLE v. JOHNSON (Not for Publication)

The judgment is affirmed.

DAVIS, J.

We Concur: Scotland, P. J.

Sims, J.

The Minutes

February 8, 2005, continued

C044653 VINEYARD AREA CITIZENS FOR RESPONSIBLE GROWTH, INC. et al. v. CITY OF RANCHO CORDOVA and SUNRISE DOUGLAS PROPERTY

OWNERS ASSN. et al. (Not for Publication)

The judgment is affirmed. Petitioners shall pay the City's and the

Developer's costs of this appeal.

MORRISON. J.

We Concur: Davis, Acting P.J.

Raye, J.

C045178 In re TIMOTHY W.; THE PEOPLE v. TIMOTHY W.

(Not for Publication)

The matter is remanded for a determination and declaration as to whether the minor's September 2000 receiving stolen property conviction was a felony or a misdemeanor and to correct the maximum period of confinement. The judgment is otherwise affirmed.

RAYE, J.

I Concur: Nicholson, J. I concur except as to Part III...

SCOTLAND, P.J.

C047224 In re M.G., II; SHASTA COUNTY DEPARTMENT OF SOCIAL SERVICES v. M.G. (Not for Publication)

The juvenile court's order terminating appellant's parental rights is

affirmed.

SCOTLAND, P.J.

We Concur: Sims, J.

Cantil-Sakauye, J.

C047408 In re A.G. et al.; SAN JOAQUIN COUNTY HUMAN SERVICES AGENCY v. VICTORIA M. (Not for Publication)

The orders of the juvenile court are affirmed.

NICHOLSON, J.

We Concur: Blease, Acting P.J.

Davis, J.

C045087 THE PEOPLE v. ARREGUIN

BY THE COURT:

Appellant's petition for rehearing is denied.

DAVIS, Acting P.J.

The Minutes

February 9, 2005

C043044 THE PEOPLE v. JOHNSON

(Not for Publication)

The one-year enhancements for use of a deadly weapon imposed on counts V and VI are stricken. The superior court is directed to prepare an amended abstract of judgment reflecting this modification and forward a copy thereof to the Director of the Department of Corrections. As modified, the judgment is affirmed.

BLEASE, Acting P.J.

We Concur: Raye, J.

Robie, J.

C043615 THE PEOPLE v. BARRERAS

(Not for Publication)

The judgment is affirmed. The trial court is directed to correct the abstract of judgment to list the defendant's first name as Celso and the year of the offense as 2000 and forward a certified copy of the amended abstract to the Department of Corrections.

BLEASE, Acting P.J.

We Concur: Davis, J.

Butz, J.

C044026 THE PEOPLE v. LYNOTT

(Not for Publication)

The judgment is affirmed. SCOTLAND, P.J.

I respectfully dissent...

Blease, J.

I concur, except as to Part III, in which I concur in the result...

Davis, J.

C044129 THE PEOPLE v. CUSHMAN, JR. et al. (Not for Publication)

The judgments are affirmed.

BLEASE, Acting P.J.

We Concur: Morrison, J.

Butz, J.

C044170 THE PEOPLE v. PARRIS

(Not for Publication)

The judgment is affirmed.

NICHOLSON, Acting P.J.

We Concur: Hull, J.

Butz, J.

The Minutes

February 9, 2005, continued

C044600 THE PEOPLE v. McCULLEN (Not for Publication)

The judgment is affirmed.

Raye, J.

We Concur: Sims, Acting P.J.

Butz, J.

C044684 THE PEOPLE v. MARTHELL (Not for Publication)

The judgment is modified to stay the 15-year sentence in count 4, and is

affirmed as modified.

BLEASE, Acting P.J.

We Concur: Davis, J.

Butz, J.

C047274 THE PEOPLE v. BOULWARE (Not for Publication)

The order of recommitment is affirmed.

BLEASE, Acting P.J.

We Concur: Davis, J.

Butz, J.

C047329 THE PEOPLE v. VOSS (Not for Publication)

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Raye, Acting P.J.

Robie, J.

C047653 THE PEOPLE v. O'DANIEL (Not for Publication)

The judgment is affirmed.

BLEASE, Acting P.J.

We Concur: Nicholson, J.

Cantil-Sakauye, J.

C047864 THE PEOPLE v. VANG (Not for Publication)

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Raye, Acting P.J.

Robie, J.

C045711 RIVERLAKE COMMUNITY ASSOCIATION v. CITY OF SACRAMENTO et al. (Not for Publication)

The judgment is affirmed. The City is awarded its costs on appeal.

HULL, J.

We Concur: Blease, Acting P.J.

Butz, J.

The Minutes

February 9, 2005, continued

C046351 REIS v. BIGGS UNIFIED SCHOOL DISTRICT

(CERTIFIED FOR PUBLICATION)

That part of the judgment concluding that Reis has obtained permanent status in his .43 FTE position is reversed. In all other respects, the judgment is affirmed. Each party shall pay its own costs on appeal. (Cal. Rules of Court, rule 27(a).) (CERTIFIED FOR PUBLICATION.)

DAVIS, Acting P.J.

I concur: Nicholson, J.

I concur in parts 1, 2A, and 3 of the Discussion of this opinion... As to the

remainder of part 2B, however, I respectfully dissent...

Robie, J.

C045460 KOHANE-TAYLOR v. TAYLOR

BY THE COURT:

Appellant's petition for rehearing is denied.

BLEASE, Acting P.J.

February 10, 2005

C043910 THE PEOPLE v. HOWIE (Not for Publication)

The judgment is affirmed.

SIMS, Acting P.J.

We Concur: Rave, J.

Robie, J.

C044405 THE PEOPLE v. NUNEZ (Not for Publication)

The judgment is affirmed.

SCOTLAND, P.J.

We Concur: Nicholson, J.

Raye, J.

C044902 THE PEOPLE v. LUNA (Not for Publication)

The matter is remanded to the trial court for resentencing on the prior prison term enhancements. In all other respects, the judgment is affirmed.

SIMS, Acting P.J.

We Concur: Nicholson, J.

Robie, J.

C044996 THE PEOPLE v. McELROY (Certified for Publication)

The judgment is affirmed.

SIMS, Acting P.J.

We Concur: Nicholson, J.

Robie, J.

The Minutes

February 10, 2005, continued

C045213 THE PEOPLE v. BRANSOM (Not for Publication)

The judgment is affirmed.

SIMS, Acting P.J.

We Concur: Raye, J.

Butz, J.

C045360 THE PEOPLE v. BOGGESS (Not for Publication)

The judgment is affirmed.

SIMS, J.

We Concur: Scotland, P.J.

Butz, J.

C045719 THE PEOPLE v. HEAD (Not for Publication)

The judgment is affirmed.

RAYE, J.

We Concur: Blease, Acting P.J.

Hull, J.

C045729 THE PEOPLE v. JIMMY T. (Not for Publication)

The trial court shall issue a second amended judgment of commitment stating that defendant's two-year term of commitment shall commence on November 20, 2003, and shall expire on November 19, 2005. In all other

respects, the judgment of commitment is affirmed.

Blease, Acting P.J.

We Concur: Nicholson, J.

Hull, J.

C046360 THE PEOPLE v. LONG (Certified for Partial Publication)

The judgment is affirmed.

ROBIE, J.

We Concur: Davis, Acting P.J.

Hull, J.

C046376 THE PEOPLE v. WOODRAL (Not for Publication)

The judgment is affirmed.

Blease, Acting P.J.

We Concur: Nicholson, J.

Hull, J.

The Minutes

February 10, 2005, continued

C047204 THE PEOPLE v. ESPINOZA (Not for Publication)

The judgment is affirmed.

DAVIS, J.

We Concur: Blease, Acting P.J.

Butz, J.

C047599 THE PEOPLE v. THOMAS (Not for Publication)

The judgment (order extending the commitment) is affirmed.

RAYE, J.

We Concur: Robie, J.

Cantil-Sakauye, J.

C045786 MATTOX v. STEPHEN P. TEALE DATA CENTER

(Not for Publication)

The judgment entered October 6, 2003, on Teale's motion for summary judgment is affirmed. The postjudgment order entered December 4, 2003, on Teale's motion for attorney fees is reversed, and the case is remanded to the trial court with instructions to vacate its order granting Teale's motion for attorney fees and enter a new order denying that motion. The parties shall bear their own costs on appeal. (Cal. Rules of Court, rule 27(a).)

ROBIE. J.

We Concur: Hull, Acting P.J.

Butz, J.

C046167 STOCKTON PETROLEUM COMPANY v. HENDRIX et al.

(Not for Publication)

The judgment is affirmed. Plaintiff shall receive its costs on appeal. (Cal.

Rules of Court, rule 27(a).)

SIMS, Acting P.J.

We Concur: Davis, J.

Robie, J.

C046430 EDMONDS et al. v. COUNTY OF SAN JOAQUIN

(Not for Publication)

The judgment is affirmed. The County shall recover its costs on appeal.

(Cal. Rules of Court, rule 27(a).)

Robie, J.

We Concur: Nicholson, Acting P.J.

Hull, J.

The Minutes

February 10, 2005, continued

C047148 GREENE v. ANDERSON UNION HIGH SCHOOL DISTRICT et al. (Not for Publication)

The judgment is affirmed. The District shall recover its costs on appeal.

(Cal. Rules of Court, rule 27(a).)

ROBIE, J.

We Concur: Hull, J.

Butz, J.

C047289 In re CHRISTINA R. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. NORMA T.

(Not for Publication)

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Scotland, P.J.

Sims, J.

C047455 In re A.H. et al.; CALAVERAS WORKS AND HUMAN SERVICES v. JENNIFER H. (Not for Publication)

The orders terminating parental rights and selecting adoption as the permanent plan are vacated and the matter is remanded to the juvenile court...

NICHOLSON, J.

We Concur: Blease, Acting P.J.

Davis, J.

C046437 GOOSMAN v. COUNTY OF SACRAMENTO

THE COURT:

... We conclude the appeal is untimely.

The appeal is dismissed. Defendant shall recover its costs on appeal.

(Cal. Rules of Court, rule 27(a) (2).)

SCOTLAND, P.J.

We Concur: Sims, J.

Robie, J.

February 11, 2005

There were no minutes for this date.